

A  
TRUE RELATION,  
OF THE PROCEEDINGS

against JOHN OGILVIE, a Iesuit,  
executed at GLASGOW, the  
last of Februarie, anno 1615.

CONTAINING SUNDRIE SPEECHES  
vttered by him at his Arraignment, and others, that  
assisted the Commissioners deputed for his triall:

With all that passed at his execution.

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2. Pet. 2. 10.

*Audaces, & sibi placentes, dominatum despiciunt, & non horrent  
dignitates convitiis incesse.*

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Tertul. adversus Hermo.

*Hermogenes hereticus loquacitatem, facundiam existimat, & impu-  
dentiam constantiam deputat, & maledicere singulis offi-  
cium bonæ conscientia iudicat.*

Cyprian. de duplici martyrio.

*Non statim martyr est qui occiditur, occiduntur pirata, & sicarii,  
supplicium non facit martyrem, sed causa.*



EDINBURGH,

PRINTED BY ANDRO HART,

Anno 1615.





## TO THE READER.



**I** hath beene thought needfull, that a true and perfect Relation of the whole proceedings against *John Ogilvie*, a Iesuit, lately executed at GLASGOW, should bee published; as well for satisfaction of those, who desire to be informed of his behauiour, during the time of his imprisonment, and at his arraignment & execution; as to obviate the misreportes of the enemies of true Religion; who wrest and draw all thinges, without respect of trueth, to their owne aduantage. It is knowne within these few yeeres, *Henry Garnet* and *Edward Oldcorne*, English Iesuites, beeing called in question, for that prodigious and damnable Powder-treason; although it was proved by cleare euidences and their own confessions, vnder their owne handes; that they were speciall authors and actors in it, and for the same were executed by publicke iustice, not in a corner, but in the open Cities of LONDON and WORCESTER: yet (such is the shamelesse impudencie of that sect) by printed Apologies they haue beene iustified: and which is more, inserted in a Catalogue of their Martyrs, set forth at Rome, Anno 1608. by the licence and permission of their superiours. By

which maner of doing, what may be expected in this particular, at their handes, any man may easily perceiue. Euery thing they are about to doe (bee it neuer so great a mischiefe) they cloake with the mantle of Religion: and if the statutes of the Kingdome ouer-take any of them, either for practises against the King, or sowing the seed of rebellion amongst the subiectes, it must bee supposed (forfoothe) they suffer all for religion. Now were it so, and that according to the law, for Masse saying they were punished to the death, they could not glorie in it, nor rightly challenge the crowne of Martyrdome, their masse beeing a vile and idolatrous seruice, flatly disagreeing with the faith of Christ, and trueth of the Gospell. But it is not so, albeit wee haue such statutes, for the restraint of Masse abomination within this Kingdome, they are not able to instance any one, who for the transgressing thereof to this houre hath suffered. His Majesties proceedings with them haue beene more gentle: where death might haue beene inflicted, milder courses haue beene taken: imprisonment for some short time, & banishment forth of the Realme haue bene the sharpest punishments: so vnwilling was his Highnesse to force, or once to seeme to force the consciences of any men whatsoeuer. And to say that which trueth is, if this vnhappy miscreant, who nowe hath his reward, had not discovered his traiterous minde, openly disauowing his Majesties authoritie and stood to the maintaining of the Popes power, for dethroning kings, and freeing subjects from their oathes of allegiance, hee had felt no harder measure, then others, although the circumstances of his fault, were much greater: but his peruerse speeches, and insolent cariage beyond all credite, his sowing of doctrines, tending to open rebellion, the hande of Iustice could



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could not forbear. What was it, in the hearing of multitudes of people to affirme, *that he would returne or abide in the Kingdome, contrary to the lawes, and his Maiesties commandements?* to value his Highnesse authoritie with his old hatte, & the acts of our Parliament with a rotten figge: to say, it was treason to sweare with the oath of alleageance to the King, and that his Maiestie by *vsurping the Popes power, had lost the right of the kingdome.* Yet these & diuers other more treasonable speeches he vttered at his arraignment which are set down in the processe, so far as could be remembered: for all could not be kept in mind. I am perswaded the honester minded of those of his own profession, wil in their hearts condemne, & judge him justly to haue suffered: for, praised be God, the Iesuits arte hath not so farre preuailed, in planting such opinions in the hearts of people, but euen amongst the aduersaries themselves, they are many, that doe no wise approue their seditious & proditorie doctrines. And here, to all our Catholickes, (they will be so called) in this Kingdome, if nothing further may be obtained, & that still they will lye in that superstition, wherein they haue bene nuzled, I wish at least so much wisdom, as to beware of Iesuites policies and not to thinke their practises, the cause of the catholicke Church. It is not Religion, as one hath well obserued, they strue for, but soueraigntie: It will not content them to haue the Romish faith, and ceremonies embraced, the crownes of Kings, their scepters and subjects must all be at the Popes deuotion. This is their speciall worke, and the effect of their blinde obedience, that speciall vowe, I meane, which they besides the three vowes common to other orders, vow and sweare at their receptions: To this point runs all their seruice, to make the Pope the lord of all the earth, Emperours, Kings, &

Princes his dependants, to be remoued, altered, charged, deposed, and killed, when it pleaseth his holines to giue commission. **MARIANA**, a Iesuit, counteth it a wholesome meditation, for Kings, to think they may be killed, not only lawfully, but with glory and commendation to the doers. And **CÆSAR BARONIUS** in his *Annales*, recites **Tomo II. pag. 802.** a brieue of Pope **VRBAN** the second, sent to **GODFREDE** Bishop of *Luca*, wherein hee declares, that they are not to be esteemed murtherers, who burning with the zeale of their catholicke mother, kills excommunicates. The words of the Rescript are these: *Non illos homicidas arbitramur, qui aduersus excommunicatos, zelo catholicae matris arden-*  
*De Pont. tes, eorum quoslibet trucidasse contigerit.* **BELLARMINE** that  
*li. 5. cap. 6* great Doctor, in his cōtrouersie, *De Romano Pontifice*, hath these expresse words, *Papa potest mutare regna, & uni auferre, atq; alteri conferre, tanquam summus princeps spiritualis si id necessarium fuerit ad animarum salutem.* That is, the Pope as chiefe spirituall prince, may change kingdoms, & take them away from one, & giue them to another, if it be necessarie for the sauing of soules. But *Fran-*  
*ciscus Snarius* in his late booke intituled, *Defensio fidei Catholicae*, goes beyond all this, saying, that any, to whom the Pope permits the doing, may kill or expell the King, who is by sentence depriued, or which is all one, if he be declared to haue committed the crime, which by law deserues that penaltie: and if the Pope neglect to giue power, the lawfull successour may take the execution to himselfe, and if hee faile, the communitie of the kingdom succedes in that right: to wit, to kill and expell him. His wordes are these, *Post sententiam condemnatoriam regis, de regni privatione, latam per legitimam potestatem, vel quod perinde est, post sententiam declaratoriam criminis habentis talem penam ipso iure impositam, potest ille*  
 qui

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*qui sententiam tulit, vel cui ipse commiserit, regem priuare regno, etiam illum interficiendo, si aliter non potuerit.*

In the same place: *Si Papa regem deponat, ab illis tantum poterit expelli, vel interfici quibus ipse id commiserit. Quod si nulli executionem imperet, pertinebit ad legitimum in regno successorem, vel si nullus inventus fuerit ad regnum ipsum spectabit.* And that no man should thinke this his priuate opinion, amongst the approbations prefixed to the worke, yee haue in  *censura Academia Complutensis* this saide, *Nihil est in toto hoc opere à nostro omnium sensu discordans, quum de hac re sit omnium nostrum eadem vox, idem animus, eademque sententia.* That is, there is nothing in all this worke, which is not agreeable with our mind, seeing heerein we haue all one voice, one opinion, and one iudgement. Nowe if this bee the minde of all, it is high time they were all met with, and that *celeripena*, by a present dispatch. The knightes templars, erected, as is thought, by the princes of France to preserue their conquest in the holy land, when by keeping the rules of their institution in the first yeeres, they had purchased a great reputation of holynesse, and thereby drawne to themselues an infinite wealth, became at last intolerable to kinges, and by one uniforme consent in the councell of *Vienna* were condemned, & the order abolished. The order, was of a longer standing by much then our Iesuites, but to kinges nothing so dangerous. The writers that mention them, do not agree vpon the causes of their generall hatred, and leaue the Reader in suspense, whether iustly they merited exterminion or not: But posteritie shall haue an aduantage in vnderstanding the doctrine of Iesuites by their printed bookes, and their seditious practises, by the attempts they haue made against the estates and liues of princes. *Seçta hac rebellis est, & nocens*

Lib. 6.  
cap. 4.  
num. 18.

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*nocens regibus.* A rebellious sect they are, & hurtfull enemies to kings, cruel assassins, teaching disloyaltie, & plotting the deaths of princes, which all EUROPE, and thou France by the rest canst testifie. O Kings, when shall yee awake, & take it in your harts, to fulfil Gods decree? Whē shall yee vindicate your crownes from the vniust usurpations of the priest of Rome? Shal the disgrace and violence done to some of your sacred persons for euer thus lye vnauenged? We know it shall not: But GOD hath his day, who will patiently attend. In the meane time I shall wish the Catholikes of this kingdome to consider and looke more deeply in their profelsion, then they yet haue done. The mysteries of the Romish Religion are not seene at the first. Surely, some of our Papistes doe not know them, especially that principle, which bindes them to obey the Pope against al the world. \**Suarinus* hath taught them, that it is to be held as an article of faith, that the Pope hath power to depose kings, and that hee who denyes this power to the Pope, denyes the Catholicke faith. By this is there no meane left to be a Catholike, & remaine the Kings loyall subiect. To beleue the Popes power is such, is vndenyable treason: To refuse it, is to renounce Catholick religion: which last I perswade my selfe all true and naturall SCOTTS will choose, and of the choise shall it neuer repent them. I beseech GOD to open their eyes that are closed, and giue vs all to bee contented with the Scriptures of GOD, which by themselves are able to perfect vs vnto euery good worke.

*Farewell.*

\* *Propos-  
tio hæc,  
Papa po-  
testatem  
habet ad  
deponen-  
dos reges  
hereticos,  
& perti-  
naces, in-  
ter dog-  
mata fi-  
dei te-  
nenda &  
 creden-  
da est.  
Infra: Si  
abjura-  
tur hæc  
potestas,  
abjura-  
tur ca-  
tholica  
fides lib.  
6. cap. 8.  
num. 8.*



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## TRUE RELATION,

## OF THE PROCEEDINGS

against JOHN OGILVIE a Iesuit, especially

*at his arraignment and execution, which*

was at GLASGOW the last of Februarie,

*being on Tuesday. 1615.*

**J**OHN OGILVIE aliàs WATSON  
 (for according to the maners of his sect he  
 was *multinominis*, a man of diuers names)  
 came into *Scotland* at Martimes 1613. and  
 making his residence for the most part of  
 that winter, in the North parts of *Scotland*, tooke his  
 journey to *England* a litle before Easter. Where, giuing  
 out to some of his Countrey-men, that he had a suppli-  
 cation for some wrongs to present to his Majestie, hee  
 attended the Court, some two moneths; and falling in  
 acquaintance with a Gentleman of the West countrey,  
 after his pretended businesse was done, or the occasion  
 disappointed, hee returned into *Scotland* with the saide  
 Gentleman in the beginning of Iune thereafter. Vpon  
 this familiaritie, and other intelligences giuen him, he  
 came to *Glasgow* in August following; and finding a

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kinder



kinder receipt by certaine persons in that citie, (who for that crime haue since bene justly condemned) then either he expected, or became them to haue granted, he made some haunt and resort thither at sundry times, till at last he was detected, & by the direction of the Archbishop of *Glasgow*, who at that time kept his residence within the citie, apprehended and committed to prison. It was the fourth of October, a litle after foure of the clocke in the afternoone, when perceaued to bee ouertaken somewhat in company, his examination was deferred to the morrow after. There was found with him two or three litle bookes containing directions for confession, his bulget being in the house where he kept at night, was conuoyed out of the way by one of his familiars, and presented the next day after, search beeing made by the magistrates of the citie, therein was found his Masse garments, chalice, altar, and the rest of that stuffe, with letters not fit at this time to bee divulgate. Amongst others, a warrand to dispense with those who possesse Church-livings, after this tenor, *quo ad dispensationem de bonis ecclesiasticis poteris dispensare ut retineant qua possident, dummodo in pios usus aliquid impendant pro iudicio Confessarii dispensantis.* Hee had in the samin maile diuerse Reliques, peeces of wood, bones, and a tuste of *IGNATIUS* haire, the founder of the Iesuites order which I thinke was his chiefe iewel.

In his examination which was the next morning, before the Archbishop of *Glasgow*, the Bishop of *Argyle*, the Lords *Fleming*, *Boyde*, and *Kilsyth*, the Prouest of the citie of *Glasgow*, *Sr. WALTER STEWART*, & *Sr. GEORGE ELPHINSTON*, knights, he confessed his true name to be *JOHN OGILVIE*, that he was borne in the North of *Scotland*, & had bene soorth of the Countrey 21. yeeres, that

that hee liued at *Gratz*, in a colledge of the Iesuities, and was receiued in their Order, that he returned into Scotland by the command of his superiour, and was to stay there untill hee were recalled, if no other impediment should offer. Being required to giue his oath, that he should declare nothing but trueth, in such things as he should be demanded: hee answered, that he would take oath, but with some exceptions, namely, if hee were demanded in any thing that touched his estate and life, or that might indanger these or any of them he would not answer, likewise if the same tended to the preiudice of others. And whē it was replied that his exceptions being admitted, his oath was as good as no oath, seeing any questions that could bee proposed, would concerne some of these: he was induced at last to giue a simple oath, which he did vpon his knees: & rising vp from the ground, said, *I will neither lie nor equiuocate, but what I say shalbe truth, & what I am asked, if I find it impertinent for me to answer, I will say nothing, or declare plainly I will not tel.*

Then being inquired of his comming in Scotland, the time, & busines he came to do, answered, *his busines was to saue soules.* Touching the time when he came into Scotland, answered, *In the Iune before:* where hee was deprehended to æquiuate, notwithstanding of his protestatiō: for he meant of his last cōming, & was asked concerning the first. But the time at that examination was not vnderstood. Being inquired of the places where he had bene receiued, denied to tel, & if he had said Masse in any place, he answered, *hee would not say any thing that might worke preiudice to himselfe or others:* and because he had professed, that hee would not lie, the reply he commonly made to such questions, was, *I will not tell you.*

The lordes finding him thus obstinate, returned him to a chamber in the Castle, which was prepared for him,

nothing lacking that was requisite for one of his qualitie, and there hee was kept to the 8. of December. Now and then conference was given him by diuers of the Ministers, in all which, heate & choler was espyed much to ouer-rule him. The Schole distinctions he had in readinesse, and thereby, when hee could not shift the argument, made semblance to euade. But of holy Scripture (as he seemed, not to be well acquainted therewith) hee made litle reckoning, denying it still, after the Iesuites maner, to bee the onely rule of faith.

The 12. of December he was presented at *Edinburgh*, before the lords Commissioners, appointed by his Majesties missiue for his examination & tryall: namely, the lord of *Binning*, secretary, the lord of *Kilsyth*, Sir *Gidion Murray*, the saurer deputie, and Sir *William Oliphant*, his Majesties Attorney generall: to whom he answered in all that was proponed, as of before at *Glasgow*. There the letters intercepted with him, were presented, which he acknowledged to be his: yet beeing demanded touching certain particulars contained in them, he denied to giue their lordships any satisfaction: And howbeit there was no perswasion omitted, that might haue induced any good nature to a better resolution, it auailed not. So as their lordships perceiuing nothing, but a pertinacious refusing in him, to answer to points most reasonable, and withall apprehending his stay at Court in the last summer, to haue bene for some worse seruice then he could speede in, determined, according to the power giuen the, to extort by torments another confession: which being intimated to him, & he replying that he was ready to suffer what they pleased, it was thought fit to proue him with the most easiest forme of tryall that could be used. And here it being remembred, that in the tryal of some criminall

criminal persons, it was found that nothing helped more to find out the truth of the faults wherewith they were charged, then the withholding of their naturall rest: it was advised, that he should bee kept without sleepe for some nights, which was accordingly done: and during which time it was perceiued, that hee remitted much of his former obstinacie, and falling to discouer certaine of his receauers in *Edinburgh*, gaue hope, that by gentle usage hee would bee drawne to giue their lordships contentment.

In the meane time, CHRISTMASSE approaching, at which time there is an ordinarie cession from the affaires of Counsell and Session, the Archbishop of *Glasgow* beeing to repaire homewards, and vnwilling to discharge himselfe of that prisoner, till hee might at leasure worke him to a better minde, obtained the fauour of their L. to retaine him in his companie for a fourth-night after, or till hee shoulde returne himselfe to *Edinburgh*.

It pleased his Ma. in this time whiles he was remaining at *Glasgow* to send a commission to the Archbishop of *Glasgow*, the Lord Bishop of *Argyle*, the Lord *Fleming*, Sr. *George Elphinston*, and *James Hammilton* Prouest of the citie of *Glasgow*, for trying the said Iesuit: his opinion touching his Highnesse Royal power, and the Popes claimed iurisdiction, maintained by *Bellarmino*, *Suaris* and others of that sort. The questions were these.

1. *Whether the Pope be iudge, and haue power in spiritualibus ouer his Maiestie, and whether that power will reach ouer his Maiestie euen in temporalibus, if it be in ordine ad spiritualia, as Bellarmine affirmeth.*
2. *Whether the Pope haue power to excommunicate Kings, (especially such as are not of his Church) as his Maiestie.*

3. *Whether the Pope haue power to depose Kings, by him excommunicated: and in particular, Whether he haue power to depose the King his Maieſty?*
4. *Whether it be no murther to ſlay his Maieſty, being ſo excommunicated and depoſed by the Pope?*
5. *Whether the Pope haue power to aſſoyle ſubiects from the oath of their borne and naturall allegiance to his Maieſtie?*

Vpon the 18. day of Ianuarie, the foreſaid queſtions being red diſtinctly vnto him, & he required to declare his opinion thereanent, answered as followeth:

*To the firſt, that hee thought the Pope of Rome, Iudge to his Maieſtie, and to haue power ouer him in ſpiritualibus, if the King bee a Chriſtian: and where it is asked, if that power will reach ouer his Maieſtie in temporalibus, hee ſayes hee is not obliſhed to declare his opinion therein, except to him that is Iudge in controverſies of Religion, which hee acknowledges to bee the Pope, or ſome one, hauing authoritie of him.*

*To the ſecond hee answereth, that the Pope hath power to excommunicate his Maieſtie: and where it is ſaid, that the King is not of the Pope his Church; hee ſaith, that all who are baptized, are vnder the Popes power.*

*To the third, where it is asked if the Pope haue power to depose his Maieſtie, being excommunicated, answereth, that hee will not declare his mind, except to him that is Iudge in controuerſies of Religion.*

*To the fourth, whether it bee lawfull to ſlay his Maieſtie, being excommunicated and depoſed by the Pope? answereth ut ſupra.*

*To the fiſt; whether the Pope hath power to aſſoyle ſubiects from their borne and naturall allegiance to his Maieſtie? answereth ut ſupra.*

In all theſe Articles he was particularly reſoned with,  
by the



by the Archbishop of *Glasgow*, Mr. Robert Boyd principal of the College, a man of rare erudition, & Mr. Robert Scot one of the Ministers of the citie; where it was also signified vnto him, that it concerned him in no lesse then his life, what answere he should make, if he should stand obstinate in these he had giuen, he might know what fauour was to be expected for his other crimes. Not the lesse ratifying all that formerly was said, hee added this further, *that hee condemned the oathes of supremacie and allegiance proponed to be sworne in ENGLAND*, & would needes haue the writer to insert those wordes, to all which hee put his hand, subscribing thus,

*Iohannes Ogilueus, Societa-  
tis IESU.*

These answeres beeing sent to his Majestie, vnder the testification of the foresaide Commissioners, his highnesse gaue order to the lordes of the priuie Counsell, for his triall, which was appointed to be at *Glasgow*, the last of Februarie. Immediately after the Archbishop of Glasgow directed the Prouest and Baylies of the citie vnto him, to signifie, that tuesday following was appointed for his Arraignment, and that hee woulde not bee accused for Masse saying, or any thing else that concerned his profession, but for the answeres that hee had made to the demands proposed to him by his Maiesties Commissioners. They declared also, that if hee should vpon better resolution recall those answeres, and apply himselfe to giue his Maiestie satisfaction in other points, which of duetic hee was oblished vnto, the said Archbishop would vse his credite with his highnesse, and the lordes of the priuie counsell for his safetie. His answer was, *that he thanked his lordship. for the goodwill and kind-*

nesse offered, but he was so little minded to recall any thing hee had said, as when hee came to the place, hee would make a *Commentarie* vpon his answers.

The Ministers of *Glasgow*, accompanied with maister *William Struthers*, one of the Ministers of *Edinburgh*, did also visite him, some two dayes before, aduising him to the same purpose, and offering him their best counsell and comfort. His answer was, *that he had resolved what to doe, and if hee stode in neede of their comfort, hee shoulde advertise.*

The Earle of *Lowthiane* trusting by conference to bring him to a better minde, went vnto him at diuers times, using many perswasions to draw him from his obstinate course: but nothing could preuaile with him, as in the proceedings ye shall perceiue.

### *The Araignment of IOHN OGILVIE,*

*Iesuit, on Tuesday the last of Februarie, in the townehouse of Glasgow, Before IAMES HAMMILTON Proneest of Glasgow, IAMES BELL, COLINE CAMPBELL, and IAMES BRADWOOD, Baylies of the citie, Iustices appointed by speciall commission for that busines, by the Lords of priuie Councill. The foresaid Iudges being assisted by the honourable Lords there present:*

IOHN, Archbishop of *Glasgow*,  
IAMES, Marques of *Hammilton*,  
ROBERT, Earle of *Lowthiane*,  
WILLIAM, Lord *Sanguhar*.

IOHN, Lord *Fleming*,  
ROBERT, Lord *Boyde*,

And Sir WALTER STEWART, Baylie deputie of the Regalitie of *Glasgow*.

On

On Tuesday, the last of Februarie a litle after 11. of the clocke in the forenoone, the Court beeing set, Mr. WILLIAM HAY of *Baro* Commissar of *Glasgow*, deputed by speciall commission from Sr. WILLIAM OLIPHANT of *Newton*, his Majesties Attorney generall, produced the inditement following : together with the citation vsed against those, who were to passe vpon the jurie, and the roll of their particular names, subscribed with his hand, according to the custome obserued in those cases.

### *The Inditement of* JOHN OGILVIE

*Iesuit, after the forme of the law of SCOTLAND.*

**I**OHAN OGILVIE, by your subscription, a priest of the late execrable order of Iesuits, you are indited & accused, That for asmuch as GOD the author of all righteous gouernement, hauing established Kings, and Magistrats his lieutenants vpon earth, for repressing of violence, oppression, and vice, and the promouing of pietie and justice, hath in his particular grace and fauour blessed this Countrey with a more ancient, iust and permanent descent of lawfull Kings, then any other nation of the world, and extended our felicitie beyond the happines of our antecessors. by the justice, wisdom, and clemencie of his Maiesties prosperous reigne, and hath not onely rewarded his Maiesties zeale and righteousness with wealth and peace, but also honoured and strengthened him with the accession of the most mightie and flourishing kingdomes of *England*, *France*, and *Ireland*. Which visible fauours proceeding directly from GODS most bountifull hand, moued the whole Estates of this kingdome assembled in the Parliament holden at *Perth*, the 9. of Iulie 1606. To acknowledge his Maiesties soveraigne authoritie, Princely power, Royall prerogatiue, and priuiledge of his crowne ouer all estates persons, and causes whatsoeuer, within the kingdome: And all in one voice faithfully to promise, maintaine, defend, obey & aduance the life, safetie, honour, dignitie, soueraigne authoritie. &

prerogatiue royall of his sacred Majestie, and priuiledges of his Crowne: And to with-stand all persons, powers & estates, who should presume, preasse, or intend any wayes to impugne, hurt, or impair the same: As also his Majestie, with aduise of the whole estates of this Kingdome, in the Parliament holden at *Edinburgh*, the 22. day of May, ANNO 1584 ratified, approved, and perpetually confirmed, his Majesties royall power and authoritie ouer all estates, as well spiritual as temporall, within this Realme: And statued and ordained, that his Highnesse, his heyres and successours, by themselves & their Counsellles, were, and in all times comming should bee, Iudges, competent to all persons his Highnesse subjectes, of whatlocuer estate, degree, function, or condition, that euer they be of, spiritual or temporall, in all matters wherein they or any of them should bee apprehended, summoned, or charged to answer vnto such things as should be inquired of the by our said soueraigne Lord & his Counsell: And that none of them who should be apprehended, called, or summoned, to the effect foresaid, should presume or take in hand, To decline the Iudgement of his Highnesse, his hayres and successours, or their Counsell in the premisses, vnder the paine of treason: And likewise by the 48. Act of King *JAMES* the first his Parliament, and diuers other Parliaments thereafter: It is ordained, that all the King his lieges liue, and be gouerned vnder the kings lawes and statutes, and vnder no lawes of other countries & Realmes, vnder the paines of treason, & other, particularly expressed in the Acts before mentioned, & other lawes of this kingdome. Notwithstanding whereof it is of trueth and veritie, that you hauing renounced your naturall allegiance and duetie to your Natiue and righteous King, and cast off all reuerence, respect, and obedience to his soueraigne authoritie and lawes, and dedicated your mind and actions to the vnlawfull obedience of forraigne powers, aduersaries to his Majestie, and resolving, so faire as in you lieth, to seduce his Majesties subjectes from the faith & allegiance due to his Majestie, Repaired to his countrey in the month of Iune last past, or thereabout, And by your conferences, intifements, auricular confessions, Masse saying, and other subtle & craftie meanes, induoured your selfe not onely to corrupt many

many of his Maiesties lieges in religion : but also to peruert them from their duetifull obedience due to his Maiestie , till you were discovered and apprehended by the Archbishop of *Glasgow*, who with diuers his Maiesties Counsellors and others his good subjectes , used all Christian and charitable meanes to bring you to the sense of your hainous offences and desire of amendment thereof : But they losing all their well-intended labours, were (in respect of your peruerse obstinacie) commanded by his Maiestie, to enter to your examination, & the tryall of your hainous crimes and transgressions. And especially the saide Archbishop of *Glasgow* , and many others of good ranke and qualitie adjoined to him, by his Maiestie, for your examination, hauing vpon the 18. day of Ianuarie last, called you before them, to examine you vpon some particular interrogatories, prescribed by his Maiestie, to be demanded of you: as directly concerning his Maiesties moste sacred person, life, Crowne, and estate. And chiefly you being demanded by them, whether the Pope hath power to depose Kinges, being excommunicated? And in particular, If he haue power to depose the Kings Maiestie, our soueraigne, being excommunicated by him? You answered treasonably, that you would not declare your mind, except to him that is Iudge in the controuersies of Religion, whom (by your answer made to the latter part of the first interrogatorie, demanded of you that day) you declared to bee the Pope , or any, hauing authoritie from him: Albeit by the Acts of Parliament and lawes of this Realme, made in the yeeres of GOD 1560. and 1567. It is statuted and ordained , that the Bishop of Rome ( called the Pope ) shall haue no Iurisdiction nor authoritie within this Realme, in any time comming: And thereby not onely declined treasonably his Maiesties Iurisdiction , allowing of the Popes Iurisdiction, which is discharged by Acts of Parliament, as said is: but hath committed most damnable and high treason, in not acknowledging that the Pope hath no power to depose his Maiestie, who holding his Crowne and authoritie absolutely, souerainly and immediatly of GOD, may not be deposed by any earthly person, power, or authoritie. And thereafter you being demanded, If it be lawfull to slay his Maiesty,



being excommunicated and deposed by the Pope? you answered, *ut supra*: which was, that you would not declare your mind till you were before the Pope, or others having authoritie from him: Thereby not onely declining treasonably his Maiesties iurisdiction & authoritie royall: But by your not answering clearely, that it is altogether vnlawfull, damnable, and diabolicall, once to thinke that it is lawfull to slay his most sacred Majestie, you haue committed most hainous, pernicious, and unpardonable treason. And lastly, beeing demanded, if the Pope had power to assoile his Maiesties boine subiectes from their naturall allegiance, you answered, *ut supra*: and thereby both declined treasonably his Highnes iurisdiction & authoritie royall, in refusing to answer before his Maiest. Counsellors & Commissioners foresaid, in one matter merely concerning his royal power ouer his people, & their subiection to his Maiestie: and also committed wilfull and detestable treason, in not acknowledging professedly and presently, that none on earth had power to assoile his Maiest. subiects from their naturall subiection and allegiance to him. But that it may be knowne that your treason proceeded of forethought felonie, and obstinate resolution, you freely and vnrequeridly did adde to your foresaid answers this damnable conclusion, that you condemned the oathes of supremacie and allegiance giuen to his Maiest. by his subiects in his Dominions: wherby it is apparent, that your erand to this Countie, hath beene to infect his Highnesse subiects, with the poison of your pestilent and treasonable opinion foresaid, to the subuersion of Religion, overthrow of his Maiesties authoritie and Crown, and destruction of his most sacred person. And albeit the course of all his Maiesties life and reigne, hath manifested, how vnwilling hee hath euer beene to use the seueritie of his Lawes against those who hath said & heard Masse, and otherwise controuened the Acts of Parliament made against idolatrous papistris, and practisers thereof within this Kingdome, desiring rather to reclaim them by instruction, from their errours, to the knowledge and profession of the truth: And when he found them obdurate, and of desperate resolution, relieuing the Countie of the dangerous progresse of their courses, by their imprisonment

ment and banishment, whereof you had such experience in the persones of your owne complices, condemned for their manifest crimes, as might verie probable haue made you to haue expected the like: if anie memorie of your natiue duetie and borne allegiance had possessed your mind: But you beeing altogether destitute thereof, by the three last Articles of your depositions aboue written, you haue so plainly discovered, that you professedly approue the meanes, and with the effect of the ouer-throwe of his Maiesties estate, the destruction of his Highnesse person, and seduction of his natiue subiectes, from their subjection, and duetifull obedience: that thereby, and by euery one of your foresaide answers, you haue committed moste heinous, detestable, and vnardonable treason, and deseruedly incurred the most rigorous paines thereof to be executed vpon your body, lands, and goods with all extremitie to the terrour of others.

### *The Inditement being read, Maister*

*William Hay, substitute for his Maiesties Attorney, opened the same, to the effect following.*

**A**lbeit the inditement of it selfe be cleare enough, and representeth sufficiently to my Lordes Iustices, their honourable Lordships heere assisting, and to your selfe JOHN OGILVIE, who standes there accused, the weight and gravitie of the crime by you committed, yet I shall resume it to you in few words, that your answers may be the more distinct, and without mistaking.

You are not accused of saying Masse, nor of seducing his Maiesties subiectes to a contrarie religion, nor of any point touching you in conscience properly, but for declining his Maiesties authoritie, against the lawes and statutes of the land, and for maintaining treasonable opinions: such as we of this Realme haue not heard by any auowed. The statutes men-

tioned in your inditement, make it treason not to answer the Kings Maiestie, or his counsell in any matter which shall be demanded: You beeing examined by my Lord Archbishop of *Glasgow*, and other honourable persons adioyned to him by his Maiesties speciall commission, refused to answer vnto diuers interrogatories proponed to you by their Lordships, & at the same time professedly auouched the Pope of *Rome* his iurisdiction, which by the lawes of the Countrie is many yeeres since plainly discharged: Therefore haue you incurred the penaltie contained in the statutes, and the same ought and should be executed vpon you.

It is further laid vnto your charge, that you being demanded in the particulars, namely, *Whether the Pope hath power to depose the Kings Maiestie, our soueraigne? Secondly, Whether it be lawfull to slay his Maiestie, beeing deposed by the Pope? Thirdly, Whether the Pope hath power to assoile his Maiesties subiects, from their naturall allegiance, or not?* you denied to giue any answer, touching any of these points, except yee were inquired thereof by the Pope, or others, hauing authoritie from him: and so not acknowledging, that his Maiesties Crowne and authoritie is helde immediately and souerainely of GOD, the author of all gouernement: that it is detestable once to thinke, that his sacred Maiestie may bee lawfully killed, and that no man hath power to assoile his Maiesties subiectes from their naturall allegiance to his Highnesse: You haue in these points, and euery one of them, committed moste hainous treason: for the which what you say in your owne defense I see not. And yet further that it may be seene, how desperate your resolution is in al these points, although you were not required concerning the oaths of supremacy & allegiance giuen to his Maiestie, by his subiectes, ye freely & out of your owne motiues, condemned these oathes, as impious and vnlawfull. Thereby hath it appeared what a wicked and treasonable mind you foster against his Maiestie, our Soueraigne. If you should deny it, heere are your answeres subscribed with your owne hand, which ye cannot but acknowledge: them I desire to bee read, as likewise the feuerall statutes of Parliament, which you are alledged to haue transgressed, and thereafter,

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since his Maiestie is pleased, that the ordinarie course of tryall be kept vnto you : you shall haue libertie to say for your selfe, either against the relevancie of the Inditement, or verification produced, what you thinke best.

*Then were read the statutes of Parliament, mentioned in the Inditement, and the said Iohn Ogilvies answers to the demands proponed vnto him, which he acknowledged for his owne, and the subscription thereto subioyned : after which, hauing licence of the Court to say what hee could for himselfe, hee spake to this effect :*

**F**irst under protestation, that I doe no way acknowledge this Iudgement, nor receiue you, that haue that commission there produced for my Iudges, I deny any point laid against me to be treason : for if it were treason, it would bee treason in all places, and in all Kingdomes : but that, saith he, is knowne not to be so. As for your actes of Parliament, they are made by a number of partiall men, the best of the Land not agreeing with them, and of matters not subiect to their forum, or Iudicatorie, for which I will not giue a rotten figge.

Where I am thought an enemy to the Kings Maiesties authoritie, I knowe none other authoritie he hath, but that which he receiued from his predecessors, who acknowledged the Pope of Rome his iurisdiction. If the King, saith he, will be to me as his predecessors were to mine, I will obey and acknowledge him for my King, but if he doe otherwise, and play the runnagate from God, as he and you all doe, I will not acknowledge him more then this olde hate.

Heere the Archbishop of Glasgow interrupted his speech, desiring him to deliuer his minde in a greater calme, and with more reuerent speeches of his Maiestie ( for he vitered those things in a vehement passion, and as one transported with fury ) hee remembred him that hee was accused vpon his life, before Iudges that were authorized by his Maiesties commission : to decline the iudgement, or raile against his Maiesties authoritie was booleffe, and in a man of his profession, being

an Ecclesiasticke, very scandalous. He should rather take another course to amend what he had offended in, and recall his former answeres, if they had not proceeded from a deliberate purpose, or if hee were resolute to maintaine them, to doe it with reason, and in a moderate sort, that this were his best, either for iustifying himselfe, and the opinions he held, or for mouing the Iudges, and their Lordships that were assisting to commiserat his case: he aduertised him withall to be more temperate in his speeches concerning his Maiestie, otherwise he would not be licenced thus to offend.

To this, *Ogilvie* made some litle answer, *that hee would take the aduertisement, and speake more coldly*: howbeit hee would neuer acknowledge the Iudgement, nor thinke they had power to sit on his life, but said, *And for the reuerence I doe you, to stand bare-headed before you, I let you know it is*, ad redemptionem vexationis, & non ad agnitionem Iudicii.

The Aduocate here insisted, that seeing all his answeres tended to decline the Iudgement, and that hee brought no reason why the Inditement should not goe to a tryall, that the Iurie should be chosen and sworne at the Barre, according to the custome.

### THE NAMES OF THE IURIE.

SIR GEORGE ELPHINSTON, of Blythswood,  
 SIR THOMAS BOYD, of Boneshaw,  
 SIR JAMES EDMESTON, of Duntraith, elder,  
 JAMES MURHEAD, of Lachop,  
 JAMES ROBERTON, of Ernock,  
 HEW CRAWFURD, of Iordane-hill,  
 JOHN CARSCHORE, of that Ilk,  
 HEW KENNEDY, Prouest of Aire,  
 WILLIAM MAKARREL, of Hil-house,  
 JAMES BLAIRE, Baylie of Aire,  
 JOHN DUNLOP, of Powmilne,



# OF THE PROCEEDINGS, &c.

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JOHN STEWART, Burges of Aire,  
JOHN DUMBAR, Burges there,  
JAMES IOHNSTON, Burges there,  
JOHN CUNNINGHAM, of Rawes.

It was allowed the prisoner to challenge any of the fore-named persons, and to oppose vnto their admission: who said, *he had but one exception for them all: they were either enemies to his cause, or friendes: if enemies, they could not bee admitted vpon his triall, and if they were his friends, they should stand prisoners at the Barre with him.*

The Iurie being knowne to be all discrete and substantiall persons, were instantly sworne and admitted.

Then was the Inditement read againe, in the hearing of the Iurie, and the euidences shewed them for verification thereof, which of before were produced. And the prisoner beeing of new remembred to say what hee woulde for himselfe, for the better information of the Iurie, spake these things following:

*I Wish these Gentlemen to consider Well What they doe. I cannot bee tried nor iudged by them, and what soeuer I suffer here, it is by way of iniurie, and not of iudgement. Iniuria est, non iudicium. I am accused of treason, but haue done none offence, neither will I begge mercy.*

This is strange, sayeth the Archbishop, you haue done none offence, and yet you are come in his Maiesties Kingdome, and hath laboured to peruert his Highnesse subjects: both of these are against the law: In this haue ye not offended?

Not, he answereth, *I came by commandement, and if I were euen now forth of the Kingdome, I should returne: neither doe I repent any thing, but that I haue not bene so busie as I should, in that which yee call peruerting. I hope to come to Glasgow, againe, and to doe more good in it: if all the haire of mine head were priestes, they should all come into the Kingdome.*

And doe you not, sayeth the Archbishop, esteeme it a fault to goe against the King, his commandement, especially in this point of discharging you his Kingdome. If a King haue

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any power within his kingdome, it seemes hee may rid himselfe and his countrey of those with whom he is offended, and it sauoures of great rebellion to say otherwise.

To this OGILVIE replied, *I am a subiect as free, as the King is a King: he cannot discharge me, if I be not an offender, which I am not,* and beeing asked, for what offences he might be discharged by the King, answered, *in the cases of theft and murder.*

All this while said the Archbishop, you come not to answere any thing to the points of your inditement. Why did you decline his Maiesties authoritie, & refused to shew your opinion anent the Pope, his power in deposing Kings, and loosing subiects from their oath of allegiance? & when it was asked you, if it were lawfull to slay the King, being deposed, and excommunicated by the Pope, which any loyall hearted subiect will abhorre to thinke of, why did you not simply condemne it as vnlawfull? for in that you doe not condemne it, you shewe your selfe of the opinion of the rest of your sect, who in their bookes maintaine, that it is both lawfull and commendable to slay Kings, if the Popes commission goe forth once for it.

*For the declining of the Kings authoritie, sayeth he, I will doe it still in matters of religion: for with such matters hee hath nothing to doe: neither haue I done any other thing, but that which the ministers did at Dundie: they would not acknowledge his Maiesties authoritie in spirituall matters more then I, and the best ministers of the land are still of that minde, and if they be Wise, will continue so.*

The Archbishop replied, that he was mistaken, both in the place and matter: for it was not at Dundie but *Aberdine*, where eight ministers, meeting to a general assemblie, contended not against the Kinges authoritie, but that the assemblie called to that place and time, could not be discharged by his Maiesties Commissioner: neither should the fact of a few, take it at the worst, be esteemed the deed of the whole. These haue bene punished for their offences, & some of them haue confessed their error, and bene graciously pardoned by his Maiestie: all good Ministers profess otherwise, & our Religion teacheth vs to acknowledge his Maiestie our onely supream Iudge in all causes. The King is keeper of both Tables, & his place beares him not onely to the ruling of his subiects in iustice, and prefer-  
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uing equitie amongst them: but euen to maintaine Religion and Gods pure worship, of which he should haue printipal care. Your lord the Pope, hath not onely denyed this authoritie to Kings, which God giueth them, but usurpeth to himselfe a power of depofing and killing when hee is displeased, and it were the lesse to be regarded, if this his usurpation had gone no further then your pennes: but you haue entred, by this pretended right, the throats of the greatest Kings, as your practise vpon the two last HENRIES OF FRANCE beares witnesse: You are not able to lay such imputation vpon vs, nor our profession, which teaches, that next vnto God Almighty all men are bounde to feare, serue, and honour their Kinges. But what answere you, touching these demandes? Hath the Pope power to depose the King? or is it not murther to kill him, being depofed by the Pope?

*I refused of before, said hee, to answer such questions: because in answering I should acknowledge you Iudges in controuersies of Religion, which I doe not. I will not cast holy things to dogges.*

And is it said the Archbishop, a point of faith, that the Pope may depose his Maiestie? or doe you thinke it a controuersie in Religion, Whether his Maiestie (whom God saue) may be lawfully killed or not?

To this Ogilvie replied, *It is a question amongst the Doctours of the Church, and many hold the affirmatiue not improbably: a Council hath not yet determined the point: and if it shall bee concluded by the Church, that the Pope hath such power, I will giue my life in defence of it, and if I had a thousand liues, I would bestowe them that way, if they will make an article of faith of it.* Being vrged to declare his owne opinion, especially in that point, whether it were murther, to kill his Maiestie, being depofed by the Pope, he answered, *that he would not say it were unlawfull though he should saue his life by it.* Then going on with a long speech of the Pope his power, affirmed the King to be subject to him by the vertue of Christes saying to PETER, *Parse oues meas. That if the King offended against the catholicke Church; the Pope might punish him as well as a shepheard or the poorest fellow in the countrey. That in abrogating the Popes authoritie, the estates of Parliament had gone beyond their limites, and that the King in vsurping the Popes right, had lost his owne.* Nam qui

rapit jus alienum, sayeth he, perdit jus ad suum.

Becing asked touching the oath of allegiance, why hee did condemne it, and the samine being read vnto him, he said, *It was a damnable oath, against God, and his trneth, and that it was treason to sweare it: because it brought the Kings person and state in danger: since this kingdome, sayeth he, was Christian, the Popes supreme power was alwayes acknowledged: this beeing cast off, (as wee see in the act of your Parliament) against all reason and conscience, and subiectes forced to sweare to a matter so vnlawfull, what maruell that attempts and dangerous courses be taken against him.* Iustissima lex est, ut quæ agit aliquis, talia patiat. *But would the King leane off his vsurping vpon the Pope, hee might liue without feare, as well as the King of Spaine, or any other Christian prince: and with this hee intermixed some speeces of his owne seruicè & the seruice of other Iesuits done to his Maiestie, whereof hee saide, Neither Bishop, nor Minister, nor all the Bishops and Ministers in his Maiesties kingdomes had done, or could doe the like.*

The further hee proceeded in speaking, his speeches still grew to bee the more intollerable: therefore the Archbishop of Glasgow willing him to make an ende, did close all with some wordes to the Iurie, to this effect. Gentlemen, and others, who are named vpon this affise, though I minded to haue saide nothing, but sitten heere a witnesse of the proceeding, I haue beene forced by his proud and impudent speeches, somewhat to replie, and must with your patience say a little more. It is this same day, two and twentie weekes past, that this prisoner fell into mine handes, since that time hee hath had leasure to thinke enough what course was fittest for himselfe to take, for satisfying his Maiestie whome he had offended: neither hath hee lacked counsell and aduise, the best that wee could giue him. Besides, hee hath found on our parte nothing, but courteous dealing, and better intertainment, then (I must now say it) he hath deserued. Mine owne hopes were, that hee would haue followed another course, then I see hee hath taken, and not stande to the answeres, which hee made to those demandes, which were moued vnto him, by his Maiesties Commissioners, and you haue

haue scene : But if his answers at the first were reasonable, they are now so little bettered, as in all your hearings, hee hath vttered speeches moste detestable, made a Commentarie worse then the text was, and shewed himselfe to carrie the minde of an arrant and desperate traitour. You perceiue he obscures not his affection towards the Kinges Majestie, our Soueraigne, in all his speeches, preferring the Pope to his Majestie : And which is more intollerable, affirmeth the *Kinges Maistie, to haue lost the right of his Kingdome, by usurping upon the Pope. Hee will not say, it is unlawfull to kill his Maiestie, hee sayeth, it is treason for subiectes to sweare the oath of allegiance*, and meaneth so much in his last wordes, as the Kinges Majesties life and estate cannot bee assured, except hee render himselfe the Popes Vassall.

Thus hath hee left you little to doe : except that his Majesties pleasure is, the ordinarie forme bee kept with him, you shoulde neuer neede once to remoue : all his speeches haue beene so stuffed with treason, that I am sure the patience of the Noble-men, and others heere present, hath beene much prouoked.

In al that he hath said, I can marke but two things alledged by him, for the Popes authoritie ouer Kinges, the wordes of our Sauour to Saint *Peter, Pasce oues meas, Feede my sheepe*: And the subjection of Kinges, especially of our Kinges, since the Kingdome became Christian, to the Pope: for the wordes of our Sauour, howe little they serue his purpose, I haue no neede to tell you. To feed the sheepe of CHRIST, is not, I hope, to depose Kinges from their estates, nor to inflame the heartes of subiectes, against Princes: much lesse to kill and dispatch them: Wee are better taught, then to bee deceiued with such glosses. Saint *Peter* made neuer that sence of those wordes, and teacheth vs a farre other doctrine, in his first Epistle, fift Chapter, and second and third verse.

I will not spende time with such purpose, onely this I muste saye, that whatsoeuer was Saint *Peters* prerogatiue, the Pope of Rome hath nothing to doe with it: for hee cannot



bee *Saint Peters* successour, that hath forsaken his doctrine, and gone against his practise directly, both in that and other points of Christian faith. And for the antiquitie of his usurped power, I may justly say, that Master *Ogilvie* is not well seene in antiquitie, or then speaketh against his knowledge, when hee saith, that this power of the Pope was euer acknowledged by Christian Kinges: The Bishops of Rome, for many yeeeres, made no such claime, neither did Emperours or Kinges euer dreame of such subjection: Long it was ere the Pope of Rome came to the height of commanding Kinges, and not till hee had oppressed the Church, vnder the pretext of *Saint Peters* keys, bearing downe all the Bishops within Christendome: Which bearing done, then, hee made his inuasion vpon Princes, and that by degrees. The Histories of all Ages make this plaine, and the resisting hee found by Kinges in their Kingdomes, testifieth that they neuer acknowledged his superioritie. Of our owne, howbeit as wee lye farre from his seat, so had wee lesse businesse and fewer occasions of contradiction: yet can I make it seene in diuers particulars, when any question fell out anent the prouision of Bishops and Archbishops to their places, the Bulles of Rome were so little respected, as the Kinges predecessours haue alwayes preferred and borne out their owne choice, and the interdictions made vpon the Realme, by these occasions, not without some imputation of weakenesse to the sea Apostolicke, haue beene recalled. The superstitions of Rome were amongst vs last embraced, and with the first, by the mercies of God shaken off: Whatsoeuer you bragge of your antiquitie, it is false, both in this & all the pointes of your Profession else, which I coulde cleare, if this time or place were fitting. But to you, of this Iurie, I haue this only more to say. You are to inquire vpon the veritie of the Inditement, whether such & such things as are alledged to bee committed by him, haue beene so or not: you haue his subscription, which hee acknowledgeth, you heare him selfe, and how hee hath moste treasonably disauowed his Majesties authoritie: It concerns you onely to pronounce as you shall finde verified by the speeches that you haue heard, and the testimonies produced. For the rest, the Iustices knowe sufficiently

ficiently what to doe, and will serue G O D and his Majestie, according to the commission giuen them.

Maister *William Hay*, Aduocate for his Majestie, asked instrumentes vpon the prisoners treasonable speeches, vttered in the hearing of the Iurie, and his ratification of the former answeres, made to his Majesties Commissioners: Likewise for the further clearing of the Inditement, repeated the Actes of Parliament mentioned in the saide Inditement, with the Act of Priuie Counsell, made anent his Majesties supremacie, and the oath of allegiance: And desired the Iurie deeply to weigh and consider the peruerse and diuelish disposition of the partie accused: To the effect they might without scruple proceede in his conuiction. And according to his place, protested for wilfull errorr, if they should acquite him of any point contained in the saide Inditement.

The persons named vpon the Iurie, remoued to the higher house, which was prepared for them, and hauing elected Sir **GEORGE ELPHINSTONE**, Chancellor, all in one voice founde the prisoner guiltie of the whole treasonable crimes contained in the Inditement.

Which beeing reported by the saide Sir **GEORGE ELPHINSTON**, and confirmed by the whole Iurie, then returned into the Court, judgement was giuen, by direction of the Iustices, That the saide **JOHN OGILVIE**, for the treasons by him committed, shoulde bee hanged and quartered.

The Arch-bishop of *Glasgow* demanded, if *Ogilvie* would say any thing else?

*Ogilvie* answered, *No, my lord, But I giue your lordship thanks for your kindnesse, and will desire your hand.*

The Arch-bishop said, If you shall acknowledge your faulte done to his Majestie, and craue *G O D* and his Highnesse pardon, I will giue you both hand and heart, for I wish you to die a good Christian.

Then *Ogilvie* asked, *If hee should bee licensed to speake unto the people?*

The Arch-bishop answered, If you will declare, that you suffer according to the Law, justly for your offence, and craue his Majestie pardon for your treasonable speeches, you shall be licensed to say what you please: otherwise you ought not to bee permitted.

Then saide hee, *G O D haue mercie vpon mee! And cryed alowd, If there bee heere anie hidden Catholickes, let them pray for me, But the Prayers of Heretickes I will not haue.*

And so the COURT arose.

A TRVE





A TRUE RELATION,  
OF SVCH THINGES AS  
passed at the Execution of IOHN

OGILVIE, *upon the last day of*

Februarie, anno 1615. beeing  
*tuesday, in the after-noone.*

**A**fter Iudgement was giuen, by the space of some three houres, hee remained in the place where he was conuicted, hauing lease graunted him to prepare himselfe for death. Hee continued a while vpon his knees at prayer, with a colde devotion: and when the houre of execution approached, his handes being tied by the executioner, his spirits were perceiued much to faile him. In going towardes the scaffold, the throng of people was great, and he seemed much amazed, and when hee was vp, Master ROBERT SCOT, and Master WILLIAM STRVTHERS Ministers, verry grauely and christianly exhorted him to a humble acknowledgement of his offence, and if any thing troubled his mind, to disburthen his conscience. In matters of religion, they saide, they would not then enter, but prayed him to resolute and settle his minde, and seeke mercie and grace from GOD, through IESVS  
E CHRIST,

## A. TRUE RELATION,

CHRIST, in whom onely saluation is to bee found. OGILVIE answered, *That he was prepared and resolved.* Once he said, *That he died for religion*, but vttered this so weakly, as scarce he was heard by them that stood by vpon the scaffold. Then addressing himselfe to execution, he kneeled at the ladder foot, & prayed. Master ROBERT SCOT in that while, declaring to the people that his suffering was not for any matter of religion, but for haynous treason against his Maiestie, which hee prayed GOD to forgiue him. OGILVIE hearing this, saide, *He doeth me wrong.* One called IOHN ABIRCVMIE, a man of little wit, replied, *No matter, Iohn, the more wrongs, the better.* This man was seene to attend him carefully, and was euer heard, asking of OGILVIE some token before his death, for which and other businesse he made with him, he was put off the scaffold.

OGILVIE ending his prayer, arose to goe vp the ladder, but strength and courage, to the admiration of those who had seene him before, did quite forsake him: he trembled, and shaked, saying, *he would fall*, and could hardly bee helped vp on the top of the ladder, hee kissed the Hang-man, and said, *Maria, Mater gratia, ora pro me, Omnes Angeli orate pro me, Omnes Sancti, Sanctaeque orate pro me*: but with so low a voice, that they which stood at the ladder foote had some difficultie to heare him.

The Executioner willed him to commende his soule to GOD, pronouncing these wordes vnto him, *Say, Iohn, Lord haue mercy on mee, Lord receiue my soule*: which hee did, with such feeblenesse of voice, that scarcely hee could be heard: then was hee turned off, (his left foot  
for a



for a space taking holde of the ladder, as a man vnwilling to die) and hung till hee was dead. His quartering, according to the Iudgement giuen, was for some respectes not used, and his body buried in a place that is kept for *Male-factors*.

This was the ende of that vnhappy man, in whose death any man that had eyes, might see what a gracelesse and comfortlesse Religion Poperie is: The power of Religion manifesteth it selfe chiefly in the houre of death, the sight of a reconciled GOD, the assurance and perswasion of fauour through CHRIST, furnisheth spirite and boldenesse, and maketh a man willing to depart and quite this life: But Popish Religion teacheth vncertainetie of saluation, and leadeth a man to other sauours, who can neither helpe nor comfort, in the houre of death. VVhat maruaile, that men, who leane to such rotten and vnprofitable helps, lacking and disapointed of the assistance they hoped for, shewe a faint and cowardly minde at their last:

This onely I haue further to aduertise, that since his execution wee haue vnderstood, by some persons, who visited him at times during his imprisonment, that amongst other his speeches with them, hee saide this, *That if hee had escaped his apprehension at this time, and liued till WHITSONDAY next, hee should haue done that which all the Bishops and Ministers, both in ENGLAND and SCOTLAND should neuer haue helped. And if hee might haue liued at libertie vnto that time, hee would willingly haue beene drawne in peeces with horses, and haue giuen his bodie to haue beene tormented.* VVhereof what shall

6 A TRUE RELATION, &c.

shall any man collect, but that this villane was about  
some desperate enterprife.

G O D, that in mercie hitherto detected and dis-  
pointed the malicious devises of the wicked, against  
his C H U R C H, continue with vs his fauour, and giue  
vs to depend stedfastly on his prouidence. And to all  
the enemies of G O D and the King, let it befall, which  
wee haue scene vpon this wicked and accursed per-  
son. A M E N.

F I N I S.



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